

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

ROBERT ST. AUBIN

PLAINTIFF,

v.

**M.A.D. CRITICAL POWER
SERVICES, LLC**

and

MICHELLE DETMER

and

EDWARD DETMER

DEFENDANTS.

CASE NO. 13-CV-00344-bbc

**MOTION FOR ENTRY OF
DEFAULT JUDGMENT**

Plaintiff Robert St. Aubin, by his attorneys, Cross Law Firm, S.C., by and through Noah Reinstein, hereby moves for Default Judgment, pursuant to Fed. R. Civ. P. 55(b) against M.A.D. Critical Power Services, LLC, Michelle Detmer, and Edward Detmer. The basis for said motion is as follows:

WHEREAS: The Clerk entered Default pursuant to Fed. R. Civ. P. 55(a) on July 22, 2013 against MAD Critical Power Services, LLC, Michelle Detmer and Edward Detmer (“Defendants”);

WHEREAS: The Plaintiff’s Complaint alleges that Defendants failed to pay Plaintiff overtime and minimum wages in violation of Wisconsin Law, various other

States' laws and the Fair Labor Standards Act ("FLSA"), and that said violations were willful. (dkt. #1);

WHEREAS The Plaintiffs' Complaint alleges that Defendants failed to pay Plaintiff an agreed upon wage in violation of Wisconsin law and that said violation was willful. (dkt. #1);

WHEREAS: The FLSA permits recovery of liquidated damages and reasonable attorney's fees and costs. 29 U.S.C. § 216(b); 29 U.S.C. § 255(a).

WHEREAS: Wisconsin law permits recovery of a civil penalty and reasonable attorney's fees and costs. Wis. Stat. §109.03(6); Wis. Stat. §109.11(2).

WHEREAS: Plaintiff submits in support of this Motion the Declarations of Robert St. Aubin, and Attorney Noah Reinstein attesting to the damages summary submitted as Exhibit A to this Motion.

WHEREAS: Plaintiff has submitted a verified statement of attorneys' fees and costs in support of the award as Exhibit B to this Motion, as well as the Declaration of Attorney Noah Reinstein in support of the reasonableness of Plaintiffs fees.

WHEREFORE: Plaintiffs request that a Default Judgment be entered against Defendants in the following amounts:

- 1) Plaintiff's damages for unpaid wages in the amount of \$46,423.72 and liquidated damages in the amount of \$46,423.72;
- 2) Attorney's fees and costs in the amount of \$9,815.36

Dated this 1st day of August, 2013.

Respectfully submitted,

s/NOAH REINSTEIN

Noah Reinstein

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